

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

THE STATE OF MISSOURI,
ex rel. ERIC S. SCHMITT, in his official
capacity as Missouri Attorney General,

Plaintiff,

v.

THE PEOPLE’S REPUBLIC OF CHINA,
THE COMMUNIST PARTY OF CHINA,
NATIONAL HEALTH COMMISSION
OF THE PEOPLE’S REPUBLIC OF
CHINA, MINISTRY OF EMERGENCY
MANAGEMENT OF THE PEOPLE’S
REPUBLIC OF CHINA, MINISTRY OF
CIVIL AFFAIRS OF THE PEOPLE’S
REPUBLIC OF CHINA, PEOPLE’S
GOVERNMENT OF HUBEI
PROVINCE, PEOPLE’S GOVERNMENT
OF WUHAN CITY, WUHAN INSTITUTE
OF VIROLOGY, and CHINESE
ACADEMY OF SCIENCES,

Defendants.

Case No. 1:20-cv-00099-SNLJ

**PROOF OF SERVICE ON DEFENDANTS COMMUNIST PARTY OF CHINA,
CHINESE ACADEMY OF SCIENCES, AND WUHAN INSTITUTE OF VIROLOGY**

I, D. John Sauer, counsel for Plaintiff, swear or affirm as follows:

1. On May 11, 2021, this Court granted Plaintiff’s motion for alternative methods of service, and ordered that “plaintiff may serve defendants the Communist Party of China, the Wuhan Institute of Virology, and the Chinese Academy of Sciences by providing translations into simplified Chinese of the Complaint and Summons by email at publicly available email addresses provided by those organizations” ECF No. 22, at 7.

2. On May 18, 2021, pursuant to that Order, the undersigned counsel effected service on the Communist Party of China by emailing copies of the Complaint and the two summonses for that defendant—translated into simplified Chinese by a professional vendor—to a publicly available email address provided by the People’s Daily Online, the official newspaper of the Central Committee of the Communist Party of China. The website of the People’s Daily states that “People’s Daily is an organ newspaper of the Central Committee of the Communist Party of China.” *See Introduction, PEOPLE’S DAILY* (last visited May 18, 2021), people.com.cn/GB/50142/104580/index.html (English translation). Consistent with its own website, the People’s Daily is widely recognized as an official communications organ and mouthpiece of the Communist Party of China. *See, e.g., People’s Daily, WIKIPEDIA* (last visited May 18, 2021), https://en.wikipedia.org/wiki/People%27s_Daily (noting that “[t]he People’s Daily is . . . an official newspaper of the Central Committee of the Chinese Communist Party,” and that “[e]ver since its founding, the People’s Daily has been under direct control of the Party’s top leadership”). The website of the People’s Daily provides the “service email” of kf@people.cn. *See* <http://cpc.people.com.cn/> (last visited May 18, 2021). Attempts to serve the Communist Party of China at certain other publicly available email addresses on websites associated with that organization resulted in rejection notices, but the service emails to kf@people.cn did not result in a rejection notice. *See* Service Emails to Communist Party of China at kf@people.cn (attached as Exhibits A, B, C).

3. On May 18, 2021, pursuant to the Court’s Order, ECF No. 22, at 7, the undersigned counsel effected service on the Chinese Academy of Sciences by emailing copies of the Complaint and the summons for that defendant—in English and in a simplified Chinese translation provided by a professional vendor—to cas_en@cas.cn, which is identified on the website of the Chinese

Academy of Sciences as the contact email for the Academy. *See About Us*, CHINESE ACAD. SCI. (last visited May 18, 2021), https://english.cas.cn/about_us/contact_us/; *see also* Service Email to Chinese Academy of Sciences at cas_en@cas.cn (attached as Exhibit D). No rejection notice was received for this service email.

4. On May 18, 2021, pursuant to the Court’s Order, ECF No. 22, at 7, the undersigned counsel effected service on the Wuhan Institute of Virology (“WIV”) by emailing copies of the Complaint and the summons to that defendant—in English and in a simplified Chinese translation provided by a professional vendor—to the Director General of the WIV, Yanyi Wang, and the Deputy Directors General of the WIV, Peng Gong, Wuxiang Guan, and Gengfu Xiao. *See Directors*, WUHAN INST. VIROLOGY, CAS (last visited May 18, 2021), http://english.whiov.cas.cn/About_Us2016/Directors2016/ (identifying those individuals as the Director General and Deputy Directors General of WIV); *Research Fellows*, WUHAN INST. VIROLOGY, CAS (last visited May 18, 2021) http://www.whiov.cas.cn/sourcedb_whiov_cas/yw/rck/index_65432.html (providing the email addresses for each of those individuals under their researcher profiles as wangyy@wh.iov.cn, gongpeng@wh.iov.cn, guanwx@wh.iov.cn, and xiaogf@wh.iov.cn, respectively); *see also* Service Email to WIV Directors (attached as Exhibit E). An attempt to email WIV at a generic email address for that organization posted on its website resulted in a rejection notice, but the email to the publicly available addresses for the Director General and Deputy Directors General of WIV did not result in a rejection notice.

5. In addition, on May 18, 2021, the undersigned counsel emailed copies of the same service documents for WIV identified in Paragraph 4, *supra*, to cas_en@cas.cn, which is the publicly available email address identified on the website of the Chinese Academy of Sciences as

the contact email for the Academy. *See About Us*, CHINESE ACAD. SCI. (last visited May 18, 2021), https://english.cas.cn/about_us/contact_us/. The Wuhan Institute of Virology holds itself out on its website as a division or department of the Chinese Academy of Sciences. *See, e.g.*, WUHAN INST. VIROLOGY, CAS, [HTTP://ENGLISH.WHIOV.CAS.CN/](http://english.whiov.cas.cn/) (LAST VISITED MAY 18, 2021) (describing the WIV as “Wuhan Institute of Virology, CAS”—*i.e.*, “Wuhan Institute of Virology, Chinese Academy of Sciences”—and providing the website’s copyright (which appears throughout the WIV’s website) as “Wuhan Institute Of Virology, Chinese Academy Of Sciences”); *Committees*, WUHAN INST. VIROLOGY, CAS (last visited May 18, 2021), http://english.whiov.cas.cn/About_Us2016/Committees/ (describing WIV committees as part of the Chinese Academy of Sciences); *About Us*, WUHAN INST. VIROLOGY, CAS (last visited May 18, 2021), http://english.whiov.cas.cn/About_Us2016/Brief_Introduction2016/ (describing the Wuhan Institute of Virology as an administered by the Chinese Academy of Sciences, and noting that, after a period of control by the Hubei Province, WIV “returned to the Chinese Academy of Sciences” in 1978, and became “known as Wuhan Institute of Virology, Chinese Academy of Sciences”). The email of WIV’s service documents to cas_en@cas.cn did not result in a rejection notice. *See* Service Email of WIV Documents to cas_en@cas.cn (attached as Exhibit F).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 18, 2021

/s/ D. John Sauer

Dated: May 18, 2021

Respectfully submitted,

ERIC S. SCHMITT
ATTORNEY GENERAL

/s/ D. John Sauer

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